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Between:

..... PETITIONER

The Commissioner, Kukatpally Municipality,
Kukatpally, R.R. District.

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HON'BLE SRI JUSTICE A. GOPAL REDDY

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W.P. No.35236 OF 1998

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ORDER:

This Writ Petition has been filed to issue a Writ of Mandamus declaring the action of the respondent in proposing to interfere with the construction of residential apartments in Plot Nos.11,12,20,21 and 22, which are placed contiguous to each other in Sy.No.160, admeasuring 1031.56 sq.mts., situated at Bagh Ameerri Village, Kukatpally Municipality, R.R.District, which is being carried on as per permit NoG1.BA No.181/98, dated 20.11.1998, as illegal and arbitrary.

This Court, while admitting the writ petition, by order dated 18.12.1998 granted interim stay of demolition in WPMP No.43410 of 1998. So far, the respondent did not choose to file any counter affidavit.

Having regard to the facts and circumstances of the case, the respondent is directed not to demolish the construction undertaken by the petitioner if the same is in accordance with the sanctioned plan. However, if the construction is not in accordance with the approved plan or there are any deviations, it is always open for the respondent to take action in the matter by following due procedure prescribed under law pointing out the deviations, if any.

With the above direction, the writ petition is disposed of. No costs.

A. GOPAL REDDY, J

05th JULY, 2006.
Tsr

